

# EXHIBIT 4

Lisa A. Marcy (#5311)  
lmarcy@clydesnow.com  
**CLYDE SNOW & SESSIONS, P.C.**  
201 South Main Street, 13<sup>th</sup> Floor  
Salt Lake City, Utah 84111  
Telephone: 801-322-2516

John K. Johnson (#3815)  
Jkjohnson1080@hotmail.com  
**JOHN K. JOHNSON, LLC**  
10 West 300 South, Suite 800  
Salt Lake City, Utah 84101  
Telephone: 801-915-2616

*Attorneys for Plaintiff*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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JOSHUA CHATWIN,

Plaintiff,

v.

DRAPER CITY; DRAPER CITY POLICE  
DEPARTMENT; POLICE CHIEF MAC  
CONNOLE; OFFICER J. PATTERSON, in  
his individual and official capacity; OFFICER  
DAVID HARRIS, in his individual and  
official capacity; OFFICER HEATHER  
BAUGH, in her individual and official  
capacity; and JOHN DOES 1-10,

Defendants.

DECLARATION OF  
LISA A. MARCY

Civil No. 2:14-cv-375  
Judge Dale A. Kimball

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I, Lisa A. Marcy, declare and state as follows:

1. I am counsel for the Plaintiff, Joshua Chatwin, in this matter.

2. I have knowledge of the facts contained herein.

3. On February 8, 2016, I boarded a flight from Portland, Oregon, to Salt Lake City, Utah. The flight left at 4:49 p.m. A copy of my boarding pass is attached hereto as Exhibit A.

4. I did not receive the February 8, 2016, email from Ashley Gregson until arriving at my office the next morning, February 9, 2016.

5. I performed a search on Google and printed from my office computer a copy of the forecast from the National Weather Service for the Salt Lake City area for the time period of February 10-14, 2016. The forecast is attached hereto as Exhibit B.

I declare under criminal penalty that the foregoing is true and correct.

DATED this 10th day of February 2016.

CLYDE SNOW & SESSIONS

/s/ Lisa A. Marcy

Lisa A. Marcy

*Declarant*

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of February 2016, I caused a true and accurate copy of the foregoing Declaration of Lisa A. Marcy to be filed via the Court's ECF system, which in turn sent copies to counsel of record in accordance with the Court's protocols.

/s/ Michelle Carter

# EXHIBIT A

Lisa Anne Marcy

F8SSLO/SKY PRIORITY/TSA PRECHK

SkyMiles #XXXXXX1543  
GOLD/ELITEPLUS

BOARDING DOCUMENT

PDX ▶ SLC

PORTLAND (PDX) ▶

Salt Lake City (SLC)

FLIGHT DL1194

BOARDING

4:09pm

GATE<sup>A</sup>

D7

ZONE

Prem

SEAT

2A

First (RU)

Depart Mon, 4:49pm

Arrive Mon, 7:30pm

\*Gates may change. Check airport monitors.

Fly Paperless: [www.delta.com/app](http://www.delta.com/app)

Ticket#: 006 2331207089

KPDXTKD40A004





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# EXHIBIT B





# NATIONAL WEATHER SERVICE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



## Heavy Lake Effect Snow and Bitterly Cold Temperatures

A bitterly cold airmass will settle over much of the central and eastern U.S. over the next several days. Well below normal temperatures and cold wind chills will be common. In addition, heavy lake effect snow will be possible especially over western New York where up to two feet is forecast by late Thursday.

### Hazardous Weather Conditions

- [Hazardous Weather Outlook](#)

En Español [Share](#)

#### Current conditions at

#### Salt Lake City, Salt Lake City International Airport (KSLC)

Lat: 40.75°N Lon: -111.9°W Elev: 4226ft.



Fog  
**29°F**  
-2°C

Humidity 96%  
Wind Speed S 7 MPH  
Barometer 30.47 in  
Dewpoint 28°F (-2°C)  
Visibility 0.50 mi  
Wind Chill 22°F (-6°C)  
Last update 10 Feb 9:35 am MST

#### Extended Forecast for Salt Lake UT

Today	Tonight	Thursday	Thursday Night	Friday	Friday Night	Saturday	Saturday Night	Sunday
Patchy Dense Fog then Haze	Patchy Fog	Areas Fog then Haze	Patchy Fog	Patchy Fog then Haze	Haze	Partly Sunny	Mostly Cloudy	Slight Chance Showers
High: 39 °F	Low: 27 °F	High: 43 °F	Low: 27 °F	High: 46 °F	Low: 29 °F	High: 48 °F	Low: 35 °F	High: 49 °F

#### Detailed Forecast

##### Today

Widespread haze. Patchy dense fog before 11am. Otherwise, cloudy, then gradually becoming mostly sunny, with a high near 39. Northwest wind around 5 mph becoming calm in the morning.

##### Tonight

Widespread haze. Patchy fog. Otherwise, increasing clouds, with a low around 27. West northwest wind around 5 mph becoming calm.

##### Thursday

Widespread haze. Areas of fog before 11am. Otherwise, cloudy, then gradually becoming mostly sunny, with a high near 43. Southeast wind around 6 mph becoming northwest in the afternoon.

##### Thursday Night

Widespread haze. Patchy fog. Otherwise, mostly cloudy, with a low around 27. Light and variable wind becoming southeast around 6 mph after midnight.

##### Friday

Widespread haze. Patchy fog before 11am. Otherwise, partly sunny, with a high near 46. Southeast wind 5 to 7 mph becoming southwest in the morning.

##### Friday Night

Widespread haze. Partly cloudy, with a low around 29.

##### Saturday

Partly sunny, with a high near 48.

##### Saturday Night

Mostly cloudy, with a low around 35.

##### Sunday

A slight chance of showers. Partly sunny, with a high near 49.

##### Sunday Night

A slight chance of showers. Mostly cloudy, with a low around 34.

##### Washington's Birthday

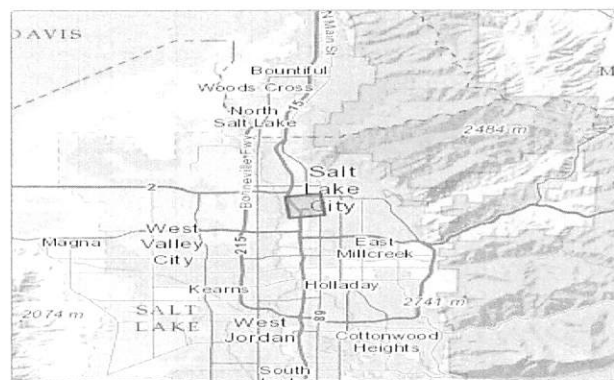
Partly sunny, with a high near 52.

##### Monday Night

Partly cloudy, with a low around 33.

##### Tuesday

Sunny, with a high near 52.



Forecast Area

#### Point Forecast:

Salt Lake UT  
40.75°N 111.9°W (Elev. 4285 ft)

#### Last Update:

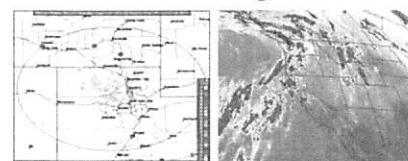
8:23 am MST Feb 10, 2016

#### Forecast Valid:

10am MST Feb 10, 2016-6pm MST Feb 16, 2016

#### Additional Resources

#### Radar & Satellite Image



#### Hourly Weather Forecast